

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
MISSOULA DIVISION**

MONTANA SHOOTING SPORTS
ASSOCIATION, SECOND
AMENDMENT FOUNDATION,
Inc., and GARY MARBUT

CV-09-147-DWM-JCL

Plaintiffs,

vs.

ORDER

ERIC H. HOLDER, JR., ATTORNEY
GENERAL OF THE UNITED STATES
OF AMERICA,

Defendant.

Timothy C. Fox of Gough, Shanahan, Johnson & Waterman has moved for the admission of Nicholas C. Dranias pro hac vice on behalf of the Goldwater Institute Scharf-Norton Center for Constitutional Government as *amicus curiae*, with Mr. Fox to act as local counsel. Although the Plaintiffs do not oppose the motion, the Defendant has not yet made an appearance in this case. Because the Defendant should be afforded the opportunity to state his position on the propriety of allowing the Goldwater Institute to appear as *amicus curiae*,

IT IS ORDERED that the motion to admit Mr. Dranias pro hac vice on behalf of the Goldwater Institute as *amicus curiae* is DENIED, subject to renewal

after the Defendant has made an appearance in the case.

IT IS FURTHER ORDERED that the Clerk of Court is directed to return Mr. Fox's \$250 filing fee.

DATED this 30th day of December, 2009

/s/ Jeremiah C. Lynch
Jeremiah C. Lynch
United States Magistrate Judge